

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CASE NO. 5:20CV00177**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**BRETT R. BOWMAN,**

**Defendant.**

**CONSENT JUDGMENT**

Upon consideration of the Motion for Entry of Consent Judgment filed by the Plaintiff United States of America and after reviewing other matters of record, the Court hereby enters this Consent Judgment based on the following:

WHEREAS, in order to settle all claims which the United States has against the Defendant as a result of the facts alleged in the Complaint, the Defendant, Brett R. Bowman (Defendant Bowman), agrees to the following:

That Defendant Bowman, having received a copy of the Complaint filed herein, and having read and understood the allegations of the United States contained therein, consents to the entry of this Consent Judgment and to each and every provision thereof without contest, and before any testimony has been taken; and the United States consents to the entry of this Consent Judgment and to each and every provision thereof;

That Defendant Bowman has been advised of his right to seek counsel of his own choosing and has been provided sufficient time in order to confer with counsel;

That Defendant Bowman understands that Assistant United States Attorney Gill P. Beck (AUSA Beck) and the United States Attorney's Office is seeking to obtain a judgment against him and that AUSA Beck cannot provide him any legal advice and that nothing communicated by AUSA Beck whether in writing or on the telephone should be construed as legal advice;

That Defendant Bowman has voluntarily chosen to relinquish his right to counsel and to proceed pro se;

That Defendant Bowman conferred with AUSA Beck pursuant to this Court's Standing Order Requiring an Initial Settlement Conference in Civil Cases Assigned to the Honorable Kenneth D. Bell;

That Defendant Bowman voluntarily enters into this Consent Judgment because he wishes to repay the United States Railroad Retirement Board (US RRB) \$12,348.52 in US RRB unemployment insurance payments (UI) benefits he improperly obtained from the US RRB plus interest accrued from the date of judgment at the determined Treasury post-judgment interest rate computed daily and compounded annually;

That Defendant Bowman has read the Complaint and specifically admits each of the allegations in the Complaint;

That Defendant Bowman agrees to make monthly payments in the amount of \$150.00 per month starting in January, 2021 and thereafter every month, due no later than the last day of each month until the \$12,348.52 in US RRB (UI) benefits plus interest is re-paid in full;

That Defendant Bowman additionally agrees to make a payment out of each year's bonus payment no later than January 31, 2022 in the amount of \$500.00; no later than January 31, 2023 in the amount of \$1,500.00; no later than January 31, 2024 in the amount of \$1,500.00; no later

than January 31, 2025 in the amount of \$1,500.00; and by January 31 of every subsequent year in the amount of \$1,500.00 until the \$12,348.52 in US RRB (UI) benefits plus interest is re-paid in full;

That Defendant Bowman has made representations about his financial status and that beginning on January 15, 2020 and for every year afterwards or as further required by the United States Attorney's Office, Defendant Bowman will complete a financial disclosure statement and provide such additional information as the United States Attorney's Office deems necessary to assess his ability to pay;

That Defendant Bowman understands that under the False Claims Act, the United States could obtain triple damages plus penalties;

That to ensure Defendant Bowman complies with the terms of this Consent Judgment, Defendant Bowman has agreed to the entry of Judgment against him in the amount of \$25,000.00;

That based on Defendant Bowman's representations of his financial situation, the United States is entering into this Consent Judgment on an ability-to-pay basis;

That if Defendant Bowman complies with the terms of this Consent Judgment, provides annual financial disclosure statements, cooperates with the United States regarding any request for information pertaining to assets, and makes every payment on time that upon the re-payment of \$12,348.52 plus interest this Consent Judgment will be considered satisfied and the United States Attorney's Office will file a satisfaction of judgment;

That in the event that Defendant Bowman fails to make a monthly payment or annual payment from his bonus, fails to provide annual financial statements, or fails to cooperate with the United States Attorney's Office regarding financial investigations, he will be in default of this

agreement, and the United States will send him a notice of default and provide him fourteen days to remedy the default, but that if he fails to do so, the United States in its discretion may declare Defendant Bowman in breach of the Consent Judgment and upon the declaration of breach, Defendant Bowman shall owe the entire \$25,000.00 plus costs associated with collection and all accrued interest from the date of the judgment at the post-judgment interest rate computed daily and compounded annually and the United States can collect by garnishment, execution, offset of any federal payments through the Treasury Offset Program, or any other means; and

That the United States will record a judgment lien against Defendant Bowman to secure payment of this judgment debt, and the proceeds from sale of any real estate in which Defendant Bowman has an interest may be used to satisfy a portion or all of this judgment debt.

Based upon the foregoing representations, IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED:

1. That this Court has jurisdiction of the subject matter hereof and all persons and parties hereto pursuant to 31 U.S.C. § 3732(a) and 28 U.S.C. § 1345, and that the Complaint states a cause of action against the defendant.
2. That the Complaint states claims upon which relief can be granted;
3. That Defendant Bowman has admitted each allegation in the Complaint;
4. That Defendant Bowman by his false claims received \$12,348.52 in United States Railroad Unemployment Benefits from the United States to which he had no right or entitlement;
5. That a judgment is rendered in favor of the Plaintiff against Defendant Bowman, in the amount of \$25,000.00, plus any costs associated with collection and accrued interest from the date of the judgment at the post-judgment interest rate computed daily and compounded annually;

6. That Defendant Bowman can satisfy this Consent Agreement by precisely complying with its terms;

7. That if Defendant Bowman complies with the terms of this Consent Judgment and is not declared in default, the Consent Judgment will be considered satisfied upon the payment of \$12,348.52 plus interest and the United States Attorney's Office will file a satisfaction of judgment

Signed: January 20, 2021



Kenneth D. Bell  
United States District Judge



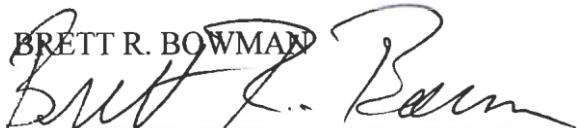
Consented to by:

R. ANDREW MURRAY  
UNITED STATES ATTORNEY



GILL P. B CK  
Assistant United States Attorney  
Chief, Civil Division  
Attorney for Plaintiff

DATE: 1-17- 2021



BRETT R. BOWMAN  
Brett R. Bowman  
Defendant

DATE: 01.13.2021